

SENATE BILL NO. 77

INTRODUCED BY K. HANSEN

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING PERMANENT THE HUNTER MANAGEMENT AND THE HUNTING ACCESS ENHANCEMENT PROGRAMS, WHICH ENCOURAGE PUBLIC ACCESS TO PRIVATE AND PUBLIC LANDS FOR HUNTING PURPOSES BY PROVIDING INCENTIVES TO LANDOWNERS AND BY PROVIDING RESTRICTIONS ON LANDOWNER LIABILITY; MAKING PERMANENT THE PROGRAMS' FUNDING SOURCES FROM VARIOUS LICENSE FEES; MAKING PERMANENT THE PRIVATE LANDS/PUBLIC WILDLIFE REVIEW COMMITTEE AND REQUIRING BIENNIAL REPORTS ON PROGRAM SUCCESS AND COMMITTEE SUGGESTIONS; AMENDING SECTION 87-1-269, MCA, SECTION 18, CHAPTER 459, LAWS OF 1995, AND SECTION 6, CHAPTER 544, LAWS OF 1999; REPEALING SECTION 8, CHAPTER 544, LAWS OF 1999, SECTION 9, CHAPTER 216, LAWS OF 2001, AND SECTION 29, CHAPTER 407, LAWS OF 2001; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-1-269, MCA, is amended to read:

"87-1-269. (Temporary) Report required -- review committee. (1) The governor shall appoint a committee of persons interested in issues related to hunters, anglers, landowners, and outfitters, including but not limited to the hunting access enhancement program, the fishing access enhancement program, landowner-hunter relations, outfitting industry issues, and other issues related to private lands and public wildlife. The committee must have broad representation of landowners, outfitters, and sportspersons. The department may provide administrative assistance as necessary to assist the review committee.

(2) (a) The review committee shall report to the governor and to the 58th ~~each~~ legislature regarding the success of various elements of the hunting access enhancement program, including a report of annual landowner participation, the number of acres annually enrolled in the program, hunter harvest success on enrolled lands, the number of qualified applicants who were denied enrollment because of a shortfall in funding, and an accounting of program expenditures, and make suggestions for funding, modification, or improvement needed to achieve the objectives of the program.

(b) The review committee shall report to the governor and to ~~the 58th~~ each legislature regarding the success of the fishing access enhancement program and make suggestions for funding, modification, or improvement needed to achieve the objectives of the program.

(3) The director may appoint additional advisory committees that are considered necessary to assist in the implementation of the hunting access enhancement program and the fishing access enhancement program and to advise the commission regarding the development of rules implementing the hunting access enhancement program and the fishing access enhancement program. ~~(Terminates March 1, 2006 -- sec. 6, Ch. 544, L. 1999; sec. 6, Ch. 196, L. 2001.)"~~

Section 2. Section 18, Chapter 459, Laws of 1995, is amended to read:

"Section 18. Termination. ~~(1) [Sections 1 through 10] terminate October 1, 2001.~~

~~(2) [Section 11] terminates June 30, 1999~~ July 1, 2002."

Section 3. Section 6, Chapter 544, Laws of 1999, is amended to read:

"Section 6. Section 18, Chapter 459, Laws of 1995, is amended to read:

"Section 18. Termination. ~~(1) [Sections 1 through 10] terminate October 1, 2001~~ March 1, 2006.

~~(2) [Section 11] terminates June 30, 1999~~ July 1, 2002."

NEW SECTION. Section 4. Repealer. Section 8, Chapter 544, Laws of 1999, section 9, Chapter 216, Laws of 2001, and section 29, Chapter 407, Laws of 2001, are repealed.

COORDINATION SECTION. Section 5. Coordination instruction. If __ Bill. No. __ [LC 0245] is not passed and approved, then [section 1 of this act] is void and 87-1-269 must be amended as follows:

"87-1-269. (Temporary) Report required -- review committee. (1) The governor shall appoint a committee of persons interested in issues related to hunters, ~~anglers~~, landowners, and outfitters, including but not limited to the hunting access enhancement program, ~~the fishing access enhancement program~~, landowner-hunter relations, outfitting industry issues, and other issues related to private lands and public wildlife. The committee must have broad representation of landowners, outfitters, and sportspersons. The department may provide administrative assistance as necessary to assist the review committee.

(2) ~~(a)~~ The review committee shall report to the governor and to ~~the 58th~~ each legislature regarding the

1 success of various elements of the hunting access enhancement program, including a report of annual
2 landowner participation, the number of acres annually enrolled in the program, hunter harvest success on
3 enrolled lands, the number of qualified applicants who were denied enrollment because of a shortfall in funding,
4 and an accounting of program expenditures, and make suggestions for funding, modification, or improvement
5 needed to achieve the objectives of the program.

6 ~~(b) The review committee shall report to the governor and to the 58th legislature regarding the success~~
7 ~~of the fishing access enhancement program and make suggestions for funding, modification, or improvement~~
8 ~~needed to achieve the objectives of the program.~~

9 (3) The director may appoint additional advisory committees that are considered necessary to assist
10 in the implementation of the hunting access enhancement program ~~and the fishing access enhancement~~
11 ~~program~~ and to advise the commission regarding the development of rules implementing the hunting access
12 enhancement program ~~and the fishing access enhancement program. (Terminates March 1, 2006--sec. 6, Ch.~~
13 ~~544, L. 1999; sec. 6, Ch. 196, L. 2001.)"~~

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15 **NEW SECTION. Section 6. Effective date.** [This act] is effective on passage and approval.

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